

# **EXHIBIT E**

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**THE MADOFF TRUSTEE  
PROOF OF FRAUD AND INSOLVENCY DATA ROOM  
(E-DATA ROOM 1)**

**USER GUIDE**

**TABLE OF CONTENTS**

**INTRODUCTION**

**ACCESS TO E-DATA ROOM 1**

**USING E-DATA ROOM 1**

**E-DATA ROOM 1 CONTENTS**

**DOCUMENTS AND DATA NOT INCLUDED IN E-DATA ROOM 1**

**APPENDICES**

- **APPENDIX A. BLMIS ELECTRONICALLY STORED INFORMATION (“ESI”) AND PROCESSED DATA**
- **APPENDIX B. BLMIS HARD COPY DOCUMENTS**
- **APPENDIX C. FIELDDED INFORMATION**

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## **INTRODUCTION TO THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)**

The Madoff Trustee Proof of Fraud and Insolvency Data Room ("E-Data Room 1") is an electronic repository made available to attorneys representing parties involved in litigation initiated by Irving H. Picard (the "Trustee"), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. ("SIPA") and the substantively consolidated estate of Bernard L. Madoff ("Madoff").

Pursuant to the Order dated November 10, 2010, (1) Establishing litigation case management procedures for avoidance actions and (2) Amending the February 16, 2010 Protective Order issued by the U.S. Bankruptcy Court (the "Case Management Order"), as modified by subsequent Orders, E-Data Room 1 contains certain core information<sup>1</sup> that relates to

- The financial condition of BLMIS
- The operations of BLMIS, including the Ponzi scheme
- Customer account documents and correspondence with BLMIS
- Other internal records of BLMIS
- Transfers of money to, from and within BLMIS
- Regulatory disclosures made by BLMIS

Documents and data provided in E-Data Room 1 are organized generally by source, then by type of document/data. This organizational structure does not and is not intended to reflect the document/information management system used by BLMIS during its operation. The Trustee's information regarding BLMIS operations is based on information and belief, not personal knowledge.

Pursuant to the Order Establishing Expanded Access to Electronic Data Room 1, entered on January 12, 2012 in SIPC v. BLMIS, et al., Adv. Pro. No. 08-01789(BRL), access to E-Data Room 1 may be granted to the attorneys of record for defendants in this and related adversary proceedings. In a good faith effort to prevent disclosure of Personally Identifiable Information ("PII"), the Trustee redacted dates of birth, personal addresses, and other identifying information such as Social Security Numbers, bank account numbers, taxpayer identification numbers, and other similar numbers and information that appear on many of the documents in E-Data Room 1. Where such information has been removed from a page, a notation indicating "Redacted" is displayed.

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<sup>1</sup> As a result of Judge Stanton's order dated December 15, 2008, the Trustee has assumed possession of and/or has access in conjunction with the FBI to approximately 11,700 boxes of BLMIS paper documents and 19,000 media sources containing electronically stored information ("ESI"), which include, but are not limited to, desktop computers, laptop computers, AS/400 computers, hard drives, network storage, microfilm, microfiche, backup tapes, PDAs, floppy disks, compact discs, and memory cards. The Trustee has preserved all of the data of which he assumed possession on December 15, 2008.

With respect to these materials, some paper and some ESI are stored in one or more databases, exceeding 5 terabytes or approximately 34 million documents. Materials not contained in the databases are stored either in Long Island City, NY or Rosendale, NY.

From this large collection of evidence and for the convenience of the defendants, the Trustee is making available in E-Data Room 1 certain core documents related to the topics listed above. The Trustee cannot and does not represent that all documents related to these topics have been captured in E-Data Room 1. Nothing in E-Data Room 1 is meant to limit the scope of discovery permitted by the Court.

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The use of any “Confidential Material,” as defined in the Litigation Protective Order entered on June 6, 2011 in SIPC v. BLMIS, et al., Adv. Pro. No. 08-01789(BRL) (the “LPO”), contained within E-Data Room 1 is governed by the parameters set forth in the Non-Disclosure Agreement that each user must execute to access E-Data Room 1, the LPO, and any subsequently entered court order(s). To the extent disclosure may be allowed under the aforementioned parameters, anyone who wishes to use data containing material confidential in nature will be required to use redaction, data deletion, masking, and/or any other appropriate measures as may be required. Disclosure to any party or counsel, whether inadvertent or otherwise, is not intended to waive privilege, work product protection or confidentiality.

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## **ACCESS TO THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)**

All E-Data Room 1 users must forward a fully executed Non-Disclosure Agreement ("NDA") to the Trustee by email to Baker Hostetler. Please reference the Adversary Proceeding Number ("APN") in the Subject line of the email. A copy of the NDA can be obtained from Baker Hostetler.

Upon receipt of the signed NDA, the Baker Hostetler attorney responsible for the matter (the "Responsible Attorney") will provide a user login and password to enable access to the Madoff Trustee Data Room Information Portal (the "Data Room Portal").

To obtain access to E-Data Room 1, the user should log on to the Madoff Data Room Portal and complete the E-Data Room 1 User Request form. The url to access the Madoff Data Room portal is <https://www.bhdrrequestinfo.com>

Users are strongly encouraged to review the E-Data Room 1 Manual and the Database Quick Start Guide before accessing E-Data Room 1.

Upon receipt of the E-Data Room 1 User Request form, a user login name and password will be provided.

- The login name will be assigned programmatically and will generally consist of the email address of the user prefixed with MadoffDR, plus a sequential number if required. EX: [MadoffDR.JSmith01@test.com](mailto:MadoffDR.JSmith01@test.com), [MadoffDR.JSmith02@test.com](mailto:MadoffDR.JSmith02@test.com), etc.
- Each user from a law firm must have his/her own login name and password.
- One Relativity "Saved Search Folder" " will also be created for each user. (See discussion below.)

Upon submission of the E-Data Room 1 User Request form, the user will receive notification via email indicating that the new user login name and password have been posted to the Data Room Portal.

- Users will need to log on to the Data Room Portal to obtain their login names and passwords.

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## **USING THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)**

E-Data Room 1 is a Relativity database hosted by CDS Legal. Instructions for using E-Data Room 1 are provided in the Database Quick Start Guide available on the Data Room Portal. A copy of the Quick Start Guide is also available in E-Data Room 1.

Ongoing technical support for E-Data Room 1 is provided by Baker Hostetler's litigation support team.

- For assistance, log on to the Data Room Portal and select the option titled "Ask a Technical Question". <https://www.bhdrrequestinfo.com>

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E-Data Room 1 users do not have the ability to print or download items from E-Data Room 1.

### Review and Production of E-Data Room 1 materials

- One Relativity Saved Search Folder will be created for each law firm for a specific Adversary Proceeding Number. The Saved Search folder names will use the following format: APN\_Firm Name (EX: 10-12345\_BakerlawLLP).
- The Relativity Saved Search folder will be shared among users from the same law firm for a particular Adversary Proceeding Number.
- One Relativity "Coding Layout" will be created for each law firm involved with a specific Adversary Proceeding Number. The Coding Layout name will use the following format: APN\_Firm Name.
- Each user from a specific law firm for a specific Adversary Proceeding Number will use the same assigned Coding Layout to identify and "tag" documents of interest. No user besides a user from that law firm for the specific Adversary Proceeding Number will be able to access or view documents tagged in that assigned Saved Search Folder or Coding Layout.
- To obtain copies of E-Data Room 1 items of interest, a user must
  - Tag the items in the database using the appropriate "To Produce" selection provided on the Coding Layout.
  - Log on to the Madoff Data Room Portal. <https://www.bhdrrequestinfo.com>
  - Complete and submit the E-Data Room 1 Production Request form

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- The E-Data Room 1 Production Request form will enable users to request production of all documents tagged “To Produce” on the Relativity Coding Layout.
- Where production of the same documents is requested by multiple users from the same law firm, the Trustee will de-duplicate during preparation of the production set.

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## THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)

### CONTENTS

#### OVERVIEW

##### E-Data Room 1 Contents

E-Data Room 1 contains

- Selected scanned hard copy documents collected from BLMIS facilities
- Selected processed data from BLMIS electronically stored information and other BLMIS datasources
- Selected scanned and processed data and documents obtained from third party sources

Pursuant to the Order Establishing Expanded Access to Electronic Data Room 1, entered on January 12, 2012 in SIPC v. BLMIS, et al., Adv. Pro. No. 08-01789(BRL), access to E-Data Room 1 may be granted to the attorneys of record for defendants in this and related adversary proceedings. In a good faith effort to prevent disclosure of Personally Identifiable Information ("PII"), the Trustee redacted dates of birth, personal addresses, and other identifying information such as Social Security Numbers, bank account numbers, taxpayer identification numbers, and other similar numbers and information that appear on many of the documents in E-Data Room 1. Where such information has been removed from a page, a notation indicating "Redacted" is displayed.

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The terms and provisions of all applicable protective orders apply to the contents and use of E-Data Room 1.

##### Searchability

- Objective information about documents and data is provided as fielded information. Users may perform searches in any field. Fielded information is available about all documents and data in E-Data Room 1.



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- Users may also use Relativity's Content Search function to perform searches across all documents/data in E-Data Room 1 or within a collection
  - All documents in E-Data Room 1 have been processed using optical character recognition (OCR) technology or are otherwise rendered content-searchable.
  - The Trustee used OCR technology as a good faith attempt to provide searchable versions of scanned documents. OCR technology is not perfect and the OCR process may result in errors in the visible text. The Trustee makes no warranties regarding the quality of the OCR process.
  - The original scanned versions of all OCR'd documents are posted in E-Data Room 1 along with available searchable text. If there are differences between the original and the searchable versions, the original version takes precedence.

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## THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)

### DATA

BLMIS information is available from data extracted from BLMIS datasources, primarily the BLMIS AS400 and related applications<sup>2</sup>. Other information was stored by BLMIS on microfilm. The Data section in E-Data Room 1 contains copies of reports and some “near-native” data obtained from these BLMIS datasources.

Pursuant to the Order Establishing Expanded Access to Electronic Data Room 1, entered on January 12, 2012 in SIPC v. BLMIS, et al., Adv. Pro. No. 08-01789(BRL), access to E-Data Room 1 may be granted to the attorneys of record for defendants in this and related adversary proceedings. In a good faith effort to prevent disclosure of Personally Identifiable Information (“PII”), the Trustee redacted dates of birth, personal addresses, and other identifying information such as Social Security Numbers, bank account numbers, taxpayer identification numbers, and other similar numbers and information that appear on many of the documents in E-Data Room 1. Where such information has been removed from a page, a notation indicating “Redacted” is displayed.

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Summaries regarding BLMIS datasources are provided below. For more information, see **Appendix A**.

E-Data Room 1 Data is organized within the Relativity “Issue Trees” as follows.

- **BLMIS Account Statements and Ledgers** – Organized in E-Data Room 1 to reflect the original data source:
  - Microfilm
  - SETCSH17 Table
  - STMTPro
  - StorQM

**Microfilm.** Customer data (customer ledgers, Year-to-Date (“YTD”) summary reports) from BLMIS microfilm for the period 1978 – November 1995.

**SETCSH17 Table.** The SETCSH17 reports are generated from BLMIS monthly backup tapes containing the SETCSH17 table. The SETCSH17 table is a prepared datasource created from extracted and restored BLMIS data that was aggregated by BLMIS account number to facilitate review. SETCSH17 reports in E-Data Room 1 are presented in PDF format and contain all transactions for the applicable

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<sup>2</sup> The original native files are not provided in E-Data Room 1.

- When BLMIS prepared account statements for forwarding to customers, a custom StorQM “overlay” was used to generate statements that included the BLMIS logo, special coloring of data rows, and other custom printing features, as portrayed below.

*Additional customer-specific data has been produced separately by the Trustee and may not be available in E-Data Room 1.*

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## THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)

### DOCUMENTS

The Documents section in E-Data Room 1 contains electronic copies of hard copy documents collected from BLMIS facilities or obtained from other sources, plus objective fielded information. An E-Data Room 1 “Document” may also be the electronic print version of electronically stored information obtained from a BLMIS datasource.

**Organization of E-Data Room 1 Documents.** For user convenience and guidance, E-Data Room 1 Documents are organized generally by source, then by type of document/data. This organizational structure does not and is not intended to reflect the document/information management system used by BLMIS during its operation. E-Data Room 1 Documents do not constitute a representation of the full scope or location of BLMIS documents.

Pursuant to the Order Establishing Expanded Access to Electronic Data Room 1, entered on January 12, 2012 in SIPC v. BLMIS, et al., Adv. Pro. No. 08-01789(BRL), access to E-Data Room 1 may be granted to the attorneys of record for defendants in this and related adversary proceedings. In a good faith effort to prevent disclosure of Personally Identifiable Information (“PII”), the Trustee redacted dates of birth, personal addresses, and other identifying information such as Social Security Numbers, bank account numbers, taxpayer identification numbers, and other similar numbers and information that appear on many of the documents in E-Data Room 1. Where such information has been removed from a page, a notation indicating “Redacted” is displayed.

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E-Data Room 1 Documents are organized in Relativity “Issue Trees” as follows.

- **BLMIS Documents and Work Papers** – BLMIS work papers, charts, notes, reports, etc. collected from the Lipstick Building, Bulova, and the Queens warehouse; including documents from selected BLMIS customer files and documents and correspondence from BLMIS customers. Also includes selected processed and Bates-numbered items from BLMIS electronically stored information.
- **BLMIS Operational Documents** – computer manuals, procedure logs, diagrams, etc. regarding BLMIS operations, including technology.
- **FINRA** – includes documents prepared or filed by BLMIS with FINRA or NASD (predecessor to FINRA).
- **MSIL Documents and Work Papers** – Madoff Securities International Ltd (“MSIL”) is an entity associated with BLMIS that is currently subject to a UK liquidation proceeding overseen by a court-appointed liquidator (the “JPL liquidator”). The majority of MSIL documents were

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collected from its headquarters located in London, England and an offsite storage facility. Additional MSIL work papers, charts, notes, reports, etc. collected were from BLMIS locations. To the extent permitted by UK law as determined by the JPL Liquidator, selected MSIL documents are available in E-Data Room 1.

- **Public Documents (provided for convenience)** – includes, without limitation, the report prepared by the SEC Office of Inspector General and related exhibits, transcripts of relevant plea allocutions or other testimony, pleadings from civil or criminal proceedings, pricing or other information provided by governmental agencies.
- **Other Third Party Documents** – includes selected documents provided by selected third parties in response to subpoenas or document requests and third-party documents obtained from public or commercial sources (provided for convenience).
- **SEC** – includes public regulatory filings (provided for convenience) and documents produced to the Trustee by the SEC.

For more information regarding E-Data Room 1 Documents, see **Appendix B**.

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## **THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)**

### **FINANCIALS**

The Financials section in E-Data Room 1 contains electronic copies of hard copy financial and accounting documents, plus objective fielded information, collected from BLMIS facilities or obtained from other sources<sup>3</sup>.

Pursuant to the Order Establishing Expanded Access to Electronic Data Room 1, entered on January 12, 2012 in SIPC v. BLMIS, et al., Adv. Pro. No. 08-01789(BRL), access to E-Data Room 1 may be granted to the attorneys of record for defendants in this and related adversary proceedings. In a good faith effort to prevent disclosure of Personally Identifiable Information ("PII"), the Trustee redacted dates of birth, personal addresses, and other identifying information such as Social Security Numbers, bank account numbers, taxpayer identification numbers, and other similar numbers and information that appear on many of the documents in E-Data Room 1. Where such information has been removed from a page, a notation indicating "Redacted" is displayed.

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<sup>3</sup> The Trustee collected documents regarding financial accounts or transactions relating to the assets of BLMIS, BLMIS-related entities including MSIL, and Bernie and Ruth Madoff. Documents that relate to asset amounts that do not affect the insolvency analysis of BLMIS have not been posted in E-Data Room 1. Copies may be provided upon request.

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## **THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)**

### **FIELDDED INFORMATION**

Objective information about items posted in E-Data Room 1 is provided as fielded information. Users may perform searches in any field. Fielded information is available about all items in E-Data Room 1, whether or not the data or document is amenable to content searching.

The fielded information is from a variety of sources, including original metadata from processed native files, coded fields based on information collected during evidence collection, and system-generated information.

The fielded information is provided by the Trustee as a good faith attempt to provide source information regarding Data and Documents that are made available in E-Data Room 1.

In some instances, the fielded information was prepared by the Trustee's consultants or agents. Presentation of the fielded information does not and is not intended to waive privilege or confidentiality.

For details and descriptions of fielded information provided in E-Data Room 1, see **Appendix C**.

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## THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)

### ITEMS THAT WILL NOT BE INCLUDED IN E-DATA ROOM 1

The following items are not included in E-Data Room 1.

1. Account-Specific Core Account Documents
  - Core Account Documents (“CADs”) are comprised of: (a) BLMIS customer account file to the extent it has been located; and (b) customer account statements (including all iterations) generated from the StorQM datasource or restored from microfilm.
  - Core Account Documents (i.e., customer file plus all available account statements) for each account number have been or will be produced separately to the account-holder or counsel and will not be provided in E-Data Room 1.
  - Account-specific customer account statements are provided in E-Data Room 1 according to the source from which they were obtained (e.g., StorQM, microfilm, etc.).
2. BLMIS Datasources
  - AS400 data tables used to generate Customer Statements, YTD summary reports, or other reports
3. Documents received from third parties that have been designated “confidential”
  - Unless the producing party has consented to disclosure/production of such documents
4. Transcripts of depositions, Rule 2004 examinations, and interviews conducted of certain MSIL personnel under the supervision of the JPL liquidator
  - Transcripts of testimony not designated “confidential” will be made available upon request
  - Transcripts of testimony designated “confidential” will not be made available without prior written consent of the witness or counsel
5. Documents and data that are publicly available, except as otherwise indicated
6. Commercially available resources used by the Trustee, including without limitation:
  - Database of historic trading information prepared and maintained by the University of Chicago, Center for Research in Security Prices (“CRSP”)
  - Database of historic trading information prepared and maintained by Chicago Board Options Exchange (“CBOE”)
  - Documents from the Depository Trust & Clearing Corporation (“DTCC”), including Participant Position Statements for periods from 2002-2008, DTCC Clearing Fund Deposit Report for period ended December 11, 2008
    - i. Selected Consolidated Participant Position Statements have been posted in E-Data Room 1.
    - ii. Numerous DTCC reports and data were contained in boxes prepared and stored by BLMIS, and available via a DTCC terminal on-site at the Lipstick Building (not provided in E-Data Room 1).



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- Information obtained from commercial services including subscription services or print publications regarding market trading activity or publicly traded companies, including company characteristics, historical financial performance, investment data, pricing, etc.
  - i. Numerous boxes prepared and stored by BLMIS contain documents obtained from Bloomberg and the Wall Street Journal, including documents providing pricing and performance information regarding securities (not provided in E-Data Room 1).

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## THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)

### APPENDIX A

#### BLMIS ELECTRONICALLY STORED INFORMATION ("ESI") AND PROCESSED DATA

E-Data Room 1 contains Customer Account Statements, YTD summary reports, and other reports prepared from the processed BLMIS data.<sup>4</sup>

Fielded information provided in E-Data Room 1 is included to provide information regarding the physical media from which data was extracted and the BLMIS location (including custodian) of the media. This information is provided by the Trustee on information and belief and not from personal knowledge.

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#### Description of BLMIS ESI and Processed Data in E-Data Room 1.

- **AS400.** The IBM AS/400 ("the AS400") is a midrange server designed for small businesses and departments in large enterprises. The AS400 operating system is called the OS/400. One AS400 system was used by BLMIS for the Investment Advisory business ("House 17" or the "IA" business) and a separate AS400 system was used for the Market Making & Proprietary Trading businesses (generally, "House 5"). Selected items regarding the AS400 are provided in E-Data Room 1.
- **ESI.** BLMIS had information and data in numerous forms and formats and available on different media. Selected processed and Bates-numbered items are provided in E-Data Room 1.

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<sup>4</sup> The original native files are not provided in E-Data Room 1.

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- **Microfilm.** BLMIS stored historic data on microfilm reels. Generally, each reel contained labeling that gave an indication what types of reports were contained on the reel. Using the label information, a subset of the microfilm reels, and the reports contained therein, were identified for processing and Bates numbering. Customer account statements and other YTD reports related to customer accounts identified on the microfilm reels are provided in E-Data Room 1.
- **SETCSH17.** SETCSH17 (also referred to as “Settled Cash”) is a data table maintained in the House 17 AS400 that contains transactional customer activity used for generation of customer account statements. BLMIS archived this table on a monthly basis, purging the transactional data from the AS400 system after archive in order to preserve storage space. The SETCSH17 tables maintained on backup tapes were identified and restored.

Although organized by month in the original BLMIS archives, the SETCSH17 reports provided in E-Data Room 1 are organized by account number to facilitate review. The SETCSH17 reports include the file name<sup>5</sup> of the original native file on the backup tape.

SETCSH17 reports are presented in E-Data Room 1 in PDF format and contain all transactions maintained on the backup tape for the applicable account number. The MS Excel (.xlsx) file containing the data presented on the PDF report is also available in the E-Data Room. Production of the SETCSH17 reports will include the PDF report plus the MS Excel (.xlsx) file.

- **STMTPro.** STMTPro (also referred to as “Statement Pro”) is a program developed by BLMIS and housed in the House 17 AS400. The program was designed to create BLMIS customer statements outside the normal monthly processing of customer statements.

The AS400 data files required to reconstruct the customer statements generated by the STMTPro program were maintained on backup tapes. The STMTPro files provided in E-Data Room 1 were reconstructed using the STMTPro program and the required contemporaneous data tables stored on the STMTPro backup tapes.

- **StorQM.** Stor/QM is a MS Windows-based end-user query management and data access tool that uses computer output to laser disk (COLD) technology for information storage, retrieval and report generation. As originally developed, Stor/QM downloaded report data from a mainframe to a departmental file server for end-user access. It performed reconciliation, indexing, compression and archiving functions. A pattern analyzer reverse-engineered formatted reports into transaction data by matching line items in the reports with the proper column headings.

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<sup>5</sup> There are two formats in which the native files are named:

1. EX: **506160000002\_001\_01033\_SETCSH17**
  - The 18<sup>th</sup> and 19<sup>th</sup> characters in the file name represent the year of the backup (01, representing 2001)
  - Character nos. 20-22 represent the Julian date on which the backup was created (033, representing the 33rd day of the year or February 2).
2. EX: **506240020010\_001\_004\_03-04-1998\_SETCSH17**
  - The date on which the backup was performed is captured in MM-DD-YYYY format in the native file name (03-04-1998, representing March 4, 1998)

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BLMIS archived customer account statements, YTD summary reports, and other AS400-generated reports to a secure digital optical storage system named "StorQM." Data used for each of the statements/reports was downloaded from a file server that was populated by the AS400. The statements/reports provided in E-Data Room 1 were extracted using the Stor/QM application from the optical storage system. The optical storage system uses WORM (write once, read many) technology, allowing for access to historical statements/reports using the StorQM application.

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## **THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)**

### **APPENDIX B**

#### **BLMIS HARD COPY DOCUMENTS**

Copies of selected scanned BLMIS documents from the BLMIS facilities are provided in E-Data Room 1.

Fielded information provided in E-Data Room 1 is included to provide information regarding the location (including custodian) from which documents were purportedly collected during the evidence collection process. Such location and custodian information is provided by the Trustee on information and belief and not from personal knowledge.

Pursuant to the Order Establishing Expanded Access to Electronic Data Room 1, entered on January 12, 2012 in *SIPC v. BLMIS, et al.*, Adv. Pro. No. 08-01789(BRL), access to E-Data Room 1 may be granted to the attorneys of record for defendants in this and related adversary proceedings. In a good faith effort to prevent disclosure of Personally Identifiable Information (“PII”), the Trustee redacted dates of birth, personal addresses, and other identifying information such as Social Security Numbers, bank account numbers, taxpayer identification numbers, and other similar numbers and information that appear on many of the documents in E-Data Room 1. Where such information has been removed from a page, a notation indicating “Redacted” is displayed.

The use of any “Confidential Material,” as defined in the Litigation Protective Order entered on June 6, 2011 in *SIPC v. BLMIS, et al.*, Adv. Pro. No. 08-01789(BRL) (the “LPO”), contained within E-Data Room 1 is governed by the parameters set forth in the Non-Disclosure Agreement that each user must execute to access E-Data Room 1, the LPO, and any subsequently entered court order(s). To the extent disclosure may be allowed under the aforementioned parameters, anyone who wishes to use data containing material confidential in nature will be required to use redaction, data deletion, masking, and/or any other appropriate measures as may be required. Disclosure to any party or counsel, whether inadvertent or otherwise, is not intended to waive privilege, work product protection or confidentiality.

Documents were collected from three (3) floors at the Lipstick Building on which BLMIS had office and work areas: Floors 17, 18, and 19. In addition, BLMIS leased two (2) rooms in the Lipstick Building basement for storage purposes. BLMIS also leased an off-site “hot” disaster recovery site (“Bulova”) and long-term storage space at an off-site warehouse (the “Queens warehouse”).

Unique alpha designations were assigned to Lipstick Building locations (excluding the Lipstick Building basement) from which documents were collected, using BLMIS floor plans that identified office and workstation occupants. It is the Trustee’s understanding that the BLMIS floor plans were created and maintained by BLMIS employees.

- Copies of the floor plans for the three (3) floors (17, 18, and 19) occupied by BLMIS and associated companies are available in E-Data Room 1.
- BLMIS leased two storage rooms in the Lipstick Building basement – a smaller room (denoted Room A), and a large room (denoted Room B). All BLMIS documents collected from a Lipstick Building basement room are assigned designations to indicate the room from which they were collected (BA denotes Lipstick Basement Room A, BB denotes Lipstick Basement Room B)

## BakerHostetler

- All documents collected from Bulova are assigned designation MBU (Madoff Bulova).
- Except as noted, all documents collected from the Queens warehouse are assigned designation MQW (Madoff Queens warehouse).

In early 2009, a separate report with associated exhibits was prepared by Lazard Frères (the “Lazard Report”) regarding the Madoff market-making/proprietary trading business (“House 5) operations to assist the Trustee in the sale of that business. Processed and Bates-numbered versions of the Lazard Report and exhibits (the “Lazard CD”) are also provided in E-Data Room 1.

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## THE MADOFF TRUSTEE PROOF OF FRAUD AND INSOLVENCY DATA ROOM (E-DATA ROOM 1)

### APPENDIX C

#### FIELD INFORMATION INCLUDED IN E-DATA ROOM 1

##### DOCUMENT/IMAGE NUMBER FIELDS

E-DATA ROOM 1 FIELD NAME	DESCRIPTION
DocID	<ul style="list-style-type: none"><li>• Unique number assigned to each individual file/document in the database, the beginning Bates number of the file/document</li><li>• The Trustee's Bates numbers consist of an alpha prefix followed by 8-number sequential number<ul style="list-style-type: none"><li>○ Documents obtained via subpoena are assigned 3- or 4-character prefixes assigned by the Trustee. Trustee-assigned Bates numbers are assigned to all documents obtained via subpoena, including documents previously numbered by the subpoenaed third-party.<sup>6</sup></li></ul></li><li>• Where the subpoenaed third-party has provided previously numbered documents/pages, the "original Bates number" information is also provided</li></ul>
End Doc	<ul style="list-style-type: none"><li>• Ending Bates number of scanned page or range of pages</li><li>• The Trustee's Bates number consists of an alpha prefix followed by 8-number sequential number<ul style="list-style-type: none"><li>○ Documents obtained via subpoena are assigned 3- or 4-character prefixes assigned by the Trustee. Trustee-assigned Bates numbers are assigned to all documents obtained via subpoena, including documents previously numbered by the subpoenaed third-party.</li><li>○ Where the subpoenaed third-party has provided previously numbered documents/pages, the "original Bates number" information is also provided</li></ul></li></ul>
Bates Begin Attach	<ul style="list-style-type: none"><li>• Beginning Bates number of attachment</li></ul>
Bates End Attach	<ul style="list-style-type: none"><li>• Ending Bates number of attachment</li></ul>
Folder Begin	<ul style="list-style-type: none"><li>• Beginning Bates number of unitized folder as captured during scanning. Because of scanning and unitization anomalies, may not be the same as the beginning Bates number of the physical folder in which the relevant pages appear.</li></ul>
Folder End	<ul style="list-style-type: none"><li>• Ending Bates number of unitized folder as captured during scanning. Because of scanning and unitization anomalies, may not be the same as the ending Bates number of the physical folder in which the relevant pages appear.</li></ul>
Original Bates Begin	<ul style="list-style-type: none"><li>• For items produced to Trustee, the original beginning Bates number assigned by the producing party<ul style="list-style-type: none"><li>○ As noted, all items produced to the Trustee have been assigned new ("master") Bates numbers by the Trustee</li></ul></li></ul>

<sup>6</sup> With one exception, once assigned, the Trustee's Bates numbers assigned to documents obtained from third parties have not been changed. One set of documents obtained from third-party JPMorgan Chase that were assigned Trustee's Bates numbers beginning with alpha prefix JPMSBT were later re-assigned Trustee's Bates numbers beginning with alpha prefix JPMVAB.

# BakerHostetler

E-DATA ROOM 1 FIELD NAME	DESCRIPTION
Original Bates End	<ul style="list-style-type: none"> <li>For items produced to Trustee, the original ending Bates number assigned by the producing party <ul style="list-style-type: none"> <li>As noted, all items produced to the Trustee have been assigned new ("master") Bates numbers by the Trustee</li> </ul> </li> </ul>
Relativity Image Count	<ul style="list-style-type: none"> <li>Provides page count information for a document, as indicated by the number of images associated with the database record</li> </ul>

## MASTER SEARCH FIELDS<sup>7</sup>

E-DATA ROOM 1 FIELD NAME	DESCRIPTION
MASTER ACCOUNT NAME	<ul style="list-style-type: none"> <li>Contains values from the following fields: Account Name, Account Nickname</li> </ul>
MASTER ACCOUNT NUMBER	<ul style="list-style-type: none"> <li>Contains values from the following fields: Account Number, Account Number-Account Referenced, Account Number-Customer File, Account Number-Master Account, Account Number-Microfilm Account Number, Account Number-Microfilm SubAccount as Coded, Account Number-Microfilm SubAccount, Account Number-Old</li> </ul>
MASTER CUSTODIAN_LOCATION	<ul style="list-style-type: none"> <li>Contains values from the following fields: Custodian-ESI, Scanned Custodian-Source/Location</li> </ul>
MASTER DOCUMENT DATE	<ul style="list-style-type: none"> <li>Contains values from the following fields: Date-Begin Date Range, Date-Check Clear Date, Date-Date Created, Date-Date Received, Date-Date Sent, Date-End Date Range, Date-Microfilm Ledger Date, Date-Statement Date</li> </ul>
MASTER FILE NAME	<ul style="list-style-type: none"> <li>Contains values from the following fields: File Name, File Name-Original</li> </ul>
MASTER TITLE_DESCRIPTION	<ul style="list-style-type: none"> <li>Contains values from the following fields: Bank Document Description, Microfilm Document Name, Title</li> </ul>

## FIELDS

E-DATA ROOM 1 FIELD NAME	DESCRIPTION
Account Name	<ul style="list-style-type: none"> <li>Account name associated with BLMIS account number, as indicated on ANames table<sup>8</sup> retrieved from BLMIS AS400 datasource</li> </ul>
Account Nickname	<ul style="list-style-type: none"> <li>Abbreviated account name associated with selected BLMIS accounts, as indicated on ANames table retrieved from BLMIS AS400 datasource</li> </ul>
Account Number	<ul style="list-style-type: none"> <li>BLMIS account number, as coded from microfilm and other coded datasources or as indicated in Madoff Inventory; not necessarily the same as the standardized BLMIS account number</li> </ul>
Account Number-Account Referenced	<ul style="list-style-type: none"> <li>For selected AS400 items, provides account number of account referenced in the item</li> </ul>
Account Number-Customer File	<ul style="list-style-type: none"> <li>BLMIS account number as indicated in relevant BLMIS customer file; not necessarily the same as the standardized BLMIS account number</li> </ul>
Account Number-Master Account	<ul style="list-style-type: none"> <li>Standardized BLMIS account number, as indicated on ANames table retrieved from BLMIS AS400 datasource</li> </ul>
Account Number-Microfilm Account Number	<ul style="list-style-type: none"> <li>Microfilm only. BLMIS account number, as standardized to reflect the latest versions of account numbers</li> </ul>

<sup>7</sup> The Master Search Fields were added during creation of E-Data Room 1 to enable better search functionality. They contain all values from the identified fields.

<sup>8</sup> The ANames table is a data table maintained in the House 17 AS400 that contains BLMIS account numbers and their associated account names.



# BakerHostetler

E-DATA ROOM 1 FIELD NAME	DESCRIPTION
Account Number-Microfilm Subaccount Number	<ul style="list-style-type: none"> <li>BLMIS sub-account number, as standardized to reflect varying account types as indicated by related BLMIS account numbers</li> </ul>
Account Number-Microfilm Subaccount Number as Coded	<ul style="list-style-type: none"> <li>Microfilm only. Unabridged subaccount number as it appears on the customer ledger for that month</li> </ul>
Account Number-Old Account Number	<ul style="list-style-type: none"> <li>BLMIS account number as indicated in selected BLMIS datasources</li> </ul>
AS400 Library	<ul style="list-style-type: none"> <li>Programmatic information regarding processed AS400 data</li> </ul>
AS400 Member	<ul style="list-style-type: none"> <li>Programmatic information regarding processed AS400 data</li> </ul>
AS400 Procedure	<ul style="list-style-type: none"> <li>Programmatic information regarding processed AS400 data</li> </ul>
Author	<ul style="list-style-type: none"> <li>Author field from processed electronically stored information</li> </ul>
Bank Account Number	<ul style="list-style-type: none"> <li>Account number used by bank or other financial institution to identify an account; provided only for BLMIS and affiliated entities</li> </ul>
Bank Accountholder Name	<ul style="list-style-type: none"> <li>Name of accountholder associated with a specific account held at a bank or other financial institution, as identified by the financial institution; provided only for BLMIS and affiliated entities</li> </ul>
Bank Document Description	<ul style="list-style-type: none"> <li>Description of bank document, e.g., customer check, reconciliation report, deposit slip, etc.</li> </ul>
Bank Name	<ul style="list-style-type: none"> <li>Name of bank or financial institution associated with bank documents, including bank statements, checks, bank reports, reconciliation reports, etc.</li> </ul>
BCC	<ul style="list-style-type: none"> <li>BCC field from processed electronically stored information</li> </ul>
CC	<ul style="list-style-type: none"> <li>CC field from processed electronically stored information</li> </ul>
Check Amount	<ul style="list-style-type: none"> <li>Dollar amount indicated on face of check</li> </ul>
Check Number	<ul style="list-style-type: none"> <li>Check number as indicated on face of check</li> </ul>
Check Payee	<ul style="list-style-type: none"> <li>Payee as indicated on face of check</li> </ul>
Custodian	<ul style="list-style-type: none"> <li>Custodian field from processed electronically stored information</li> </ul>
Date-Begin Date Range	<ul style="list-style-type: none"> <li>Beginning date for SETCSH17 report, StorQM account statements and reports</li> <li>Check date for checks</li> <li>Statement date for selected bank statements</li> <li>Beginning date range for selected scanned documents</li> </ul>
Date-Check Clear Date	<ul style="list-style-type: none"> <li>Date on which check cleared according to applicable bank/financial institution records</li> </ul>
Date-Check Date	<ul style="list-style-type: none"> <li>Check date as indicated on face of check</li> </ul>
Date-Date Created	<ul style="list-style-type: none"> <li>Date created field from selected items obtained via subpoena or production to the Trustee, date created field from processed electronically stored information</li> </ul>
Date-Date Received	<ul style="list-style-type: none"> <li>Received field from processed electronically stored information</li> </ul>
Date-Date Sent	<ul style="list-style-type: none"> <li>Sent field from processed electronically stored information</li> </ul>
Date-End Date Range	<ul style="list-style-type: none"> <li>Ending date for SETCSH17 report, StorQM account statements and reports</li> <li>Check date for checks</li> <li>Statement date for selected bank statements</li> <li>Ending date range for selected scanned documents</li> </ul>
Date-Microfilm Ledger Date	<ul style="list-style-type: none"> <li>Microfilm only. Indicates date of microfilmed ledger as coded</li> </ul>
Date-Statement Date	<ul style="list-style-type: none"> <li>Statement date for selected bank statements</li> </ul>
Deposit Slip	<ul style="list-style-type: none"> <li>Bates number of deposit slip associated with checks</li> </ul>
File Extension	<ul style="list-style-type: none"> <li>File extension</li> </ul>

# BakerHostetler

E-DATA ROOM 1 FIELD NAME	DESCRIPTION
File Name	<ul style="list-style-type: none"> <li>Provides file names of individual files, may be rendered name for processed BLMIS data</li> </ul>
File Name-Original	<ul style="list-style-type: none"> <li>Original file name</li> </ul>
File Size	<ul style="list-style-type: none"> <li>System-generated field that provides file size information</li> </ul>
From	<ul style="list-style-type: none"> <li>From field from processed electronically stored information</li> </ul>
Microfilm Document Name	<ul style="list-style-type: none"> <li>Document name/title of microfilm</li> </ul>
Producing Party	<ul style="list-style-type: none"> <li>For items produced by third parties, identifies the party that produced the item</li> </ul>
Relativity Issue Path	<ul style="list-style-type: none"> <li>The Relativity Issue folder assigned to each document, provided to enable for easier search</li> </ul>
Scanned Custodian/Source Location	<ul style="list-style-type: none"> <li>Location from which the box and documents were collected</li> <li>Format for BLMIS scanned documents is LN, FN [of person associated with the documents] (BLMIS facility location from which the documents were collected) <ul style="list-style-type: none"> <li>EX: Madoff, Shana (Basement Area BA)</li> <li>EX: Madoff, Shana (18 Area SM)</li> <li>EX: Madoff, Shana (Queens Warehouse)</li> </ul> </li> </ul>
Source	<ul style="list-style-type: none"> <li>Provides abbreviated source information regarding publicly available documents in E-Data Room 1</li> </ul>
Source Description	<ul style="list-style-type: none"> <li>Provides source information regarding publicly available documents in E-Data Room 1 items</li> </ul>
Subject	<ul style="list-style-type: none"> <li>Subject field from processed electronically stored information</li> </ul>
Title	<ul style="list-style-type: none"> <li>Provides title or description information regarding selected items, generally based on file name</li> </ul>
To	<ul style="list-style-type: none"> <li>To field from processed electronically stored information</li> </ul>